

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re:)	
)	
DARRIN Z. BURTON,)	Case No. 19-12225-BFK
)	Chapter 13
)	
Debtor.)	
_____)	

**ORDER DENYING MOTION TO
DISMISS WITH PREJUDICE**

On November 14, 2019, the Court held a hearing on creditors Margarita and Michael Mendoza's Motion to Dismiss Case with Prejudice. Docket No. 36. The Debtor, Earl Oberbauer, counsel to the Debtor, Jonathan Vivona, counsel to the creditors, and Thomas Gorman, Chapter 13 Trustee, were present at the hearing. For the reasons stated on the record, it is

ORDERED:

1. The Mendozas' Motion to Dismiss (Docket No. 36) is denied.
2. Throughout the duration of the case, the Trustee shall send the Debtor and Debtor's counsel a Notice of Default if the Debtor is not timely with his payments. The Trustee is authorized to communicate directly with the Debtor for this purpose. If the Debtor does not cure the default within 15 days, or if the Debtor defaults 3 times within a 12-month period, the Trustee shall file a Certification of Default and a proposed Order. Upon the filing of a Certification of Default, the case will be dismissed with prejudice for a period of 2 years.
3. The Clerk shall mail copies of this Order, or give electronic notice of its entry, to the parties listed below.

Date: Nov 15 2019

Alexandria, Virginia

/s/ Brian F. Kenney

Brian F. Kenney
United States Bankruptcy Judge

Entered on Docket: November 18, 2019

Copies to:

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